

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 DONALD C HAYES,

12 v.
13 Plaintiff,

14 STATE OF WASHINGTON,
15 DEPARTMENT OF CORRECTIONS,
16 et al.,

17 Defendants.

18 CASE NO. 3:16-CV-05095-BHS-DWC

19 ORDER

20 The District Court has referred this action, filed pursuant to 42 U.S.C. § 1983, to United
21 States Magistrate Judge David W. Christel. Plaintiff filed a “Motion for Sureply (sic) and
22 Response to Document 259,” wherein he files a surreply to Defendants’ Reply to Plaintiff’s
23 Response to Defendants’ Cross-Motion for Summary Judgment. Dkt. 262. Pursuant to Local
24 Rule CR 7(g)(2), surreplies are limited to requests to strike material contained in or attached to a
reply brief. “Extraneous argument or a surreply filed for any other reason will not be
considered.” *Id; see also Hernandez v. Stryker Corp.*, 2015 WL 11714363, at *2 (W.D. Wash.
Mar. 13, 2015). As Plaintiff does not request to strike material contained in Defendants’ Reply

1 and as surreplies are not considered by this Court, the Motion (Dkt. 262) is denied. The Court
2 will not consider Docket Entry 262 when ruling on Defendants' Cross-Motion for Summary
3 Judgment.

4 Dated this 21st day of December, 2017.

5 
6 David W. Christel
7 United States Magistrate Judge

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24